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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,921	11/03/2003	Dennis M. Treu	53951-108	3896
21890 . 759	90 10/19/2006	•	EXAMINER	
PROSKAUER ROSE LLP			BIANCO, PATRICIA	
PATENT DEPARTMENT			· · · · · · · · · · · · · · · · · · ·	
1585 BROADWAY			ART UNIT	PAPER NUMBER
NEW YORK, NY 10036-8299			3772	
	'		DATE MAILED, 10/10/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Application/Control Number: 10/699,921

Art Unit: 3772

## Notice of Non-responsive Amendment

The reply filed on 8/7/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant submitted a response to a Species Election that was mailed on 7/5/06. Applicant's election was to "elect species corresponding to Fig. 1." However, Applicant failed to elect specific claims that read on the elected species. As a result, the election is incomplete and a proper election is required in response to this paper.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

## Conclusion

Any inquiry concerning this communication should be directed to Patricia M. Bianco at telephone number (571) 272-4940.

October 15<sup>th</sup>, 2006

Patricia M Bianco

SPE

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